

1. Oath/Declaration

The objection to the verified Statement Claiming Small Entity Status as set forth in the previous Office action (Paper No. 2, page 2) has been repeated. Applicant will submit a new verified Statement Claiming Small Entity Status at a later date.

2. Drawing

The objections to the drawings as set forth in the previous Office action (Paper No. 2, page 2, elements 2 and 4) have been repeated. New drawings to address the objections are being prepared and will be submitted at a later date.

3. 35 U.S.C. §103 Rejection

Claims 1-5, 7 and 10 have been rejected under 35 U.S.C. §103(a) a being unpatentable over Jones (U.S. Patent No. 4,929,055). Claims 6 and 11 have also been rejected under 35 U.S.C. §103(a) a being unpatentable over Jones (U.S. Patent No. 4,929,055). Claims 8-9 have also been rejected under 35 U.S.C. §103(a) a being unpatentable over Jones (U.S. Patent No. 4,929,055).

Applicant respectfully submits that these rejections have been obviated by the within claim amendments. Namely, Applicant claims, in claim 1, an apparatus for reducing reflection on a surface comprising: a plurality of concentric circular vanes, mounted in front of said reflective surface, each of said vanes including a first end proximate said surface, and a second end away from said surface, wherein said first ends of said plurality of vanes are spaced apart from each other at a different distance than said second ends of said plurality of vanes are spaced apart from each other, and wherein said first ends of said plurality of vanes are spaced further apart from each other than said second ends of said plurality of vanes.

The Office acknowledges on page 5 of the office action that "Jones does not state that 1) the first ends of the vane means are arranged further from each other than the second ends of the vane means." However, the Office states that "absent any showing of criticality, it would have been obvious to one skilled in the art at the time the invention

was made to modify the arrangement of the ends of the vane means including the arrangement in which the first ends are closer to each other with respect to the second ends."

Applicant respectfully submits that the arrangement wherein the first ends of the vanes are spaced further apart from each other than said second ends the vanes provides unexpected advantages. As set out in the present disclosure,

[W]ith respect to the inwardly converging tubular elements as exemplified in FIG. 14 (i.e. wherein said first ends of said plurality of vanes are spaced further apart from each other than said second ends of said plurality of vanes), that tubular element configuration can provide significant advantages of reducing reflections from a lens substrate that is significantly curved. That is, the inwardly converging tubular elements can effectively capture reflections from such a curved lens surface. (page 6, line 29 – page 7, line 2)

As provided in MPEP 2143.01, obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. *In re Fine*, 837 F. 2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); *In re Jones*, 958 F. 2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). Further, "The mere fact that a worker in the art could rearrange the parts of the reference device to meet the terms of the claims on appeal is not by itself sufficient to support a finding of obviousness. The prior art must provide a motivation or reason for the worker in the art, without benefit of appellant's specification, to make the necessary changes in the reference device." *Ex parte Chicago Rawhide Mfg. Co.*, 223 USPQ351, 353 (BD. Pat. App. & Inter. 1984).

As provided above and as further acknowledged by the Examiner in the Office action, the Jones reference includes no such teaching. Clearly, the Jones reference does not provide sufficient disclosure, guidance or motivation to sustain the rejection under 35 U.S.C. §103.

Accordingly, claim 1 is patentable over the Jones reference. Claims 2-5, 7 and 11 depend from claim 1 and, likewise, are patentable over the Jones reference. Claims 6 and 10 have been cancelled, without prejudice, and, thus, rejection of these claims is moot.

Applicant further claims, in claim 8, a system for reducing reflection from a surface of an optical lens comprising: vane means for limiting reflections from said surface while maintaining a substantially wide Field of View (FOV) for said optical lens; said vane means for mounting proximate said surface of said optical lens; and said vane means producing tubes with a length-to width ratio greater than the length to width ratio of the FOV.

The Office asserts on page 8 of the Office action that:

[I]t would have been obvious to one skilled in the art at the time the invention was made to modify the combined product as provided by Jones by making the vanes sufficiently long as disclosed by the mentioned prior art for the purpose of increasing the ability of reduction light reflection while still maintaining the field of view for the combined product.

However, as set out in the present disclosure, there are disadvantages associated with making the vanes long: "If deeper tubes are used, they would intrude on the FOV and vignette the image seen through the device. (page 3, lines 2-3)

Thus, the Jones reference does not describe, teach or suggest a system for reducing reflection from a surface of an optical lens comprising vane means which produce tubes having a length-to width ratio greater than the length to width ratio of the FOV in accordance with the present invention. Modification of the Jones reference by making the vanes sufficiently long would lead to undesirable results. Thus, the Jones' reference does not provide sufficient disclosure, guidance or motivation to sustain the rejection under 35 U.S.C. §103.

Accordingly, claim 8 is patentable over the Jones reference. Claim 9 depends from claim 8 and, likewise, is patentable over the Jones reference.

Applicant further claims, in new claim 12, an apparatus for reducing reflection on a surface comprising: a plurality of concentric circular vanes, mounted in front of the reflective surface, each of the vanes including a first end proximate the surface, and a second end away from the surface; the plurality of concentric circular vanes comprising a center vane and a plurality of outer vanes; the center circular vane forming a conical tube with the first end having a smaller diameter than the second end; and the outer vanes being nested concentrically about the center vane such that the plurality of concentric circular vanes have one fixed angle. This arrangement is shown in Fig. 13 of the present invention.

Applicant has found that by providing the apparatus in accordance with claim 12, an advantage is provided in that "The center conical tube 77 would provide the clear sight lines to the center of the optic's FOV." (page 6, lines 7-9)

This type of an arrangement is not described, taught or suggested by the Jones reference. Accordingly, Applicant respectfully submits that claim 12 is patentable over the Jones reference.

CONCLUSION

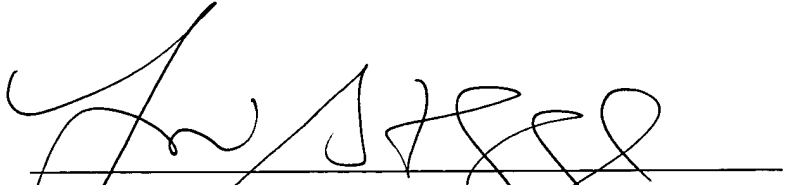
In view of the above amendments and discussion, reconsideration and allowance of claims 1-5, 7-9 and 11-12 is respectfully requested. This case is believed to be in condition for immediate allowance. Applicant respectfully requests early consideration and allowance of the subject application.

If for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge Deposit Account No. **04-1105**.

Peter W. J. Jones
U.S.S.N.: 09/094,052
Page 7

Respectfully submitted,

Date: 2/8/2001

A large, stylized handwritten signature in black ink, appearing to read 'Lisa Swiszczy Hazzard', is written over a horizontal line.

Lisa Swiszczy Hazzard (Reg. No. 44,368)
Peter F. Corless (Reg. No. 44,368)
DIKE, BRONSTEIN, ROBERTS & CUSHMAN, LLP
Intellectual Property Practice Group of
EDWARDS & ANGELL, LLP
130 Water Street
Boston, MA 02109
Tel 617-523-3400

#145575

BEST AVAILABLE COPY